

Message Text

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PAGE 01 STATE 059946
ORIGIN L-03

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APPROVED BY L/CA:REDALTON
L/C - F.A. KWIA TEK
CA - R. BOYLAN
EUR/EE - I M SILINS
CA - M. TRUITT (INFO)

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FM SECSTATE WASHDC
TO AMEMBASSY BUCHAREST

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E.O. 11652: N/A

TAGS: CASC, RO

SUBJECT: PROCUREMENT OF LEGAL SERVICES BY POST

REF: (A) BUCHAREST 0017, (B) STATE A-3675 OF 9/2/77

1. POST IS AWARE OF AVAILABILITY AND EXPERTISE OF DEPARTMENT'S OFFICE OF THE LEGAL ADVISER TO ASSIST WHEREVER POSSIBLE AND MAY FIND REVIEW OF GUIDANCE FURNISHED REF B HELPFUL IN DEALING WITH PROBLEMS OF AMCITS AS RESULT OF ROMANIAN DECREE NO. 223 OF 1974. REQUESTS FOR ADDITIONAL AND FURTHER GUIDANCE REGARDING CLAIMS OF U.S. NATIONALS AGAINST THE GOR FOR THE TAKING OF PROPERTY SHOULD BE ADDRESSED TO FABIAN A. KWIA TEK, ASSISTANT LEGAL ADVISER, INTERNATIONAL CLAIMS (L/C) HERE IN DEPARTMENT. SUCH PROBLEMS HAVE HERETOFORE BEEN REFERRED TO L/C'S ATTENTION FOR ASSISTANCE BY EUR/EE.

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2. AS DATA CONCERNING VOLUME AND FREQUENCY OF CASES INVOLVING IMMIGRANT VISA APPLICANTS, FOREIGN TOURISTS AND OTHERS EXCLUSIVE OF SPECIAL CASES REFERRED TO PARA 2, REF A, NOT FURNISHED DEPARTMENT CANNOT FULLY OR FAIRLY EVALUATE MISSIONS NEED FOR ADDITIONAL LEGAL SERVICES. ACCORDINGLY, PROPOSED FUNCTION OF LOCAL LAWYER NOT FULLY UNDERSTOOD IN

VIEW OF STATEMENT "...EMBASSY HAS NOT GENERATED ANY CASES
..." WHAT ADDITIONAL SERVICES MIGHT THE CONSULAR SECTION
HAVE IN MIND?

3. NOTWITHSTANDING, DEPARTMENT AS ALWAYS DESIRES TO MAIN-
TAIN ITS SENSITIVITY, RESPONSIVENESS AND SUPPORT OF
MISSIONS EFFORTS TO MORE EFFECTIVELY FULFILL ITS ROLE. IN
VIEW OF POSTS WILLINGNESS TO BEAR THE MODEST COST FROM
LOCAL FUNDS DESCRIBED IN REFTEL, DEPARTMENTS SEES NO OBJEC-
TION TO MISSIONS USE OF LIMITED CONSULTATIVE LOCAL LEGAL
SERVICES. DEPARTMENT'S POSITION IS TAKEN WITH THE CLEAR
UNDERSTANDING THAT NO REPRESENTATION OF THE USG-EMBASSY
WILL BE UNDERTAKEN BY LOCAL ATTORNEY UNLESS DEPARTMENT
FURNISHES WITH APPROVAL OF DEPARTMENT OF JUSTICE A SPECIFIC
INSTRUCTION FOR HIM TO DO SO. VANCE

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